

4060
A
COLLECTION

Phil's Britannicus
OF

Political ESSAYS

AND

LETTERS

IN THE

Freeholder's Journal,

Revised and Corrected by the AUTHOR.



L O N D O N:

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THE
PUBLISHER
TO THE
READER.

THE Author bid me be sure not to forget to mention his Gratitude to the World, for the Favour shewn to the following Papers; yet I have heard him often attribute their Success, rather to the timely Seasoning of, than to any great Value to be found in them. The Design is what he has chiefly to boast of, and tho' he is proud, that any Attempt of his towards his *Country's* Good, should be kindly received, yet he is much more proud, to find his Country join in Opinion with him, that upon the Conduct of the ensuing *Parliament*, the Liberties of *England* do in a great Measure depend; that the late *Parliament* hath brought us to the Brink of the Precipice, and there needs now but small Force to push us of.

This *Collection* is Published at the Request of several Gentlemen, who have very eagerly demanded Sets of these Papers. I have Printed the first Six, because the following ones may be had in every Pamphlet Shop in Town, and these are therefore Printed in Folio, for the Convenience of Binding them up with those that follow. It is promised that no more *Collections* shall be made of this Nature, for which Reason I have taken care to Print off sufficient Numbers of this, to answer all Demands.

I have now spoken for my Author, and for my self; I must take heed not to exceed my Commission, and therefore bid you *Farewel*.

THE Freeholder's Journal.

N^o I. WEDNESDAY January 31, 1721.

THE World, when a New Paper rises up in it, expects an Account of the Design and Occasion of it; and as such an Expectation is reasonable, the Author of this thinks himself obliged to comply with it.

He sees his Fellow-Subjects at this Time in a fair Way of enjoying and exerting a Privilege they have not had an Opportunity of doing, for seven Years past; and without the Repeal of a Law, made by their present Representatives, are not likely to enjoy for seven Years to come. A Privilege of choosing Persons with whom they are to intrust the Disposal of the Properties, Liberties, and Lives, not only of themselves, but of their Relations, Friends, Family, and, in some respect, their Posterity; in a Word, with the disposal of the Fate of *their Country*. A Word! which would have inspired an Old Roman to have sacrificed his Life for the good of it! A Concern! for which our Ancestors have often offer'd up their Lives, and for which we ought always to be ready to venture our own: A Cause! that will warrant any Zeal that is shewn in it, and must justify every Man that appears for it.

The Appearance and Endeavours of single Men, may be, perhaps, of little Weight; the Powers of each private Man may be small, in proportion to such an End, but yet he is to exert them, whatever they be: If others join their Endeavours as they ought, he will attain his End; if they do not, he has done his best to incite their Emulation; he has done all required of him in the Way of Duty; he has conducted himself so, as to take Pleasure in the Reflection as long as he lives; and (if I may, in *these Times*, without Imputation of *Bigottry*, use an Expression that looks to hereafter) *He has delivered his own Soul*.

The Case of every Man in *England*, is like that of several Persons engag'd in Bond for Payment of a Sum; they are bound all jointly, and every one separately, for Payment of the whole, and by one or other of them the Sum must be paid: There is, in-

deed a material Difference in these Cases; in that I have alluded to, the Obligation is *voluntary*, and contracted by our selves; in the other, which I am directly speaking of, the Obligation is *natural*, and (supposing us born Members of this Society) it begins with our Life, and cannot end but with it; in the one, the Case is of a *private*, but in the other, of a *publick* Nature; and consequently founded on a higher Reason, and to be discharged, with more vigorous Endeavours: And as in the one Case, if any fails to make Payment, the municipal Law obliges the rest to make it good, so in the other, the *supreme Law*. The Good, the Welfare, the Being of the Society, requires every one to contribute to that End; and if any fail of their Obligations, the rest are still oblig'd to discharge theirs, to do their utmost for their Country's Service; to do Justice to it, if they cannot, at least to do all in their Power for that End, without which, they cannot be just to themselves.

In Compliance with this Obligation, the Author takes Pen in Hand, to serve, if it may be, his *Country*, in that Manner; for he that will not go thus far to serve it, can hardly be expected to serve it in another way, whatever Necessity required it. He would not press others to Dangers he would not run; to Fatigues and Troubles he would not bear; to Expences he could not approve; or to Steps he would not take himself; but being resolved to do his own Duty at any Rate, he hopes he may with Decency recommend it to others, and whatever Conduct they may think fit to observe, he trusts they shall never reproach him for his own.

He knows not what Effect he may have, but he thinks he ought to make the Experiment; he has read of Times in which *Publick Spirit* was more general, and was, indeed, the Character of an *Englishman*; if it be less so now, it is a Subject of Melancholly Reflection to him; but he leaves it to the lazy World barely to lament, while he does all in his Power to remove the Unhappiness: A private selfish Spirit has been so encour-

raged of late Years, and so generally possess'd People, that a Publick one is grown ridiculous, and rare enough, to be the Contempt and Jest of those who want it: But to let Matters go on thus without opposing 'em, is to consent to the Calamity, and a sure way to fix it: A Man is to enter his *Protest against Corruption*, whether he can prevent it or no; if he cannot thus attain all his End, he will some Part of it, and he may, in Time, attain the rest; Reason will be heard, and Justice prevail at last: *Great is Truth, and mighty above all Things*: It were indeed to be wished, That all true Lovers of their Country would now uniformly exert their Endeavours for its Service; I am persuaded they might carry their Point; but a desponding Man will never carry any while he breathes. Ruin is certain when a Man once thinks it inevitable; for that Imagination will keep him from endeavouring to prevent it; whereas Difficulties, that to Persons whose Spirits are so low, appear insuperable, are often easily surmounted by the Resolute; what must be done, will be done; Nature always exerts herself most, when she is most pressed; she gives Spirit equal to the Trial, and enables us to do Things on great and necessary, which on ordinary Occasions would exceed our Power; and 'tis for us to imitate her, to encrease our Endeavours in proportion to the Difficulties we meet with; and the more Fury we are attack'd with, to oppose our selves with the more Courage; so shall we incite others to follow our Examples and strengthen our Cause; so shall we be most likely to attain our Ends, and benefit our Country, so shall we, whatever happens, have the Esteem of our Enemies (and that is all we are to expect from 'em) as Men of Spirit, Integrity, and Resolution.

To encourage this Spirit, is the Desire, and (may I add) the Design of this Paper: The Author of it begins in a Time, when every Body has been witness of as scandalous a Corruption, and as miserable, as well as general a Calamity, as a Nation has almost ever felt; in a Time, when People begin to be sensible of the Miseries of their Country, and to reflect on the Steps to which they were owing, and of the Methods whereby they are to be redress'd; in a Time, when People's own Misfortunes have prepar'd their Minds to hear Truth without Prejudice; and the extreme Pressure of their Losses disposes 'em to come into any Measures, for Removal thereof, even such, as they might be once prepossess'd against; in a Time, when a *New Parliament* is going to be chose; that great Resource of the Nation in all its Difficulties, and which it has always depended on for the Redress of its Grievances.

That it may be effectual for this Purpose, and truly answer the Ends of the first Institution of that Body; that it may not be the Source of as many Miseries, as it was originally design'd of Blessings to it, depends on our Choice of the Members to compose

it; a Choice, that we have all the Motives in Nature to engage us to use Caution and Impartiality in; for the Trust we put in our Representatives, is the greatest we can put in Men; we trust them with our Fortunes, our Liberties, our Lives, and what is more than these, with our *Constitution* and our Country; we trust 'em by express Designation, not for one or two, but for seven Years; and, in the Event perhaps, for as much longer as they please. We trust them implicitly, for there lies no Appeal from their Decrees; and, if any Ruin flows in upon us from any unworthy Choice we make, we have this uncomfortable Circumstance to imbitter it, that we are ruin'd by our own selves.

To represent the proper Qualifications of Persons fit for so great a Trust; to inculcate the Motives proper to influence us in our Choice of them; to expose such as are corrupt, weak, and otherwise unjustifiable; to recommend Methods that are legal, fair, and just in the Proceeding to this Choice, and detect such as are not, shall be one Part of the Business of this Paper.

And because there is a sneaking Sort of Sinners, that are less afraid of *their own*, than the *World's* knowing their Iniquities; and it has often been lamented, that an infinite Number of illegal, arbitrary, and scandalous Practices have been acted in former Elections, without the Knowledge of them passing farther than a narrow Territory, about the Place that that was the Scene of their acting, and without a proper History of them to discover 'em to the World; the Author of this Paper proposes to give an exact Account of such as shall be committed in the ensuing one, in hopes of deterring such as are not abandon'd to Corruption, or past Sense of Shame, and exposing such as are; in hopes by such an *History*, to put those to whom it belongs, on Measures to prevent the re-acting of such Practices; and if the present Age mind them not, to enter his Appeal to Posterity. The Nature of such a Work puts him under a Necessity of making use of various Memoirs; and of the Assistance of Persons in different Places, as well as of examining carefully into the Truth of the Informations he receives. He invites therefore every honest Man to communicate to him, as well his Thoughts on the Point of Elections, as his particular Accounts in the Proceedings of them, and he promises him to make a good use thereof; and the Reader that he will examine duly into the Exactness of such Accounts before he makes them publick. If his own Safety did not require this, his *Nature* would dictate it to him; for he will not make his Paper the Mouth of Scandal and Calumny; he hates to throw Reflections upon any Body, however deserving of it; and had rather the naked Fact should press hard upon them, than any Words of his: Facts indeed in some Crimes create an Abhorrence or Contempt of the Persons severer than any Censure can; and

and these he will be always satisfied in, before he represents them, and when he is so, he will not fail doing Justice to them; for as he loves nothing upon Earth so much as Truth, so he will not be afraid to speak it; thinking that those *Times*, in which speaking of it is attended with the most Danger, stand certainly in the greatest need of its being spoke.

As the Right of Representation in *Parliament* is the highest *Privilege* of an *Englishman*, as well as the Security of all the rest; is indeed a Right so peculiar to *England*, that scarce any other Nation in *Europe* enjoys it now, and yet so necessary to its Wellfare, that whilst other Countries with the Loss of such a Representation, have lost their Liberties, ours have still preserved both. I shall be careful in the Course of this Paper, to represent our *Rights* in relation thereto: But, as besides these, we have other *Rights* that are very valuable, valuable to such a Degree! that our Ancestors spent their Blood to preserve and transmit them inviolate to us; it is highly incumbent on us (in defect of Opportunity, and Emergences that demand a different Way) to defend them in this; I shall therefore upon Occasion represent these *Rights* in a just Light to my Countrymen; take Notice of what Breaches are made in these; and who, if they do not understand their own Privileges, and consider the Value of them, as well as the Consequences of an Invasion thereof, will never be brought to defend, and stickle for them as they ought.

As *Principles* likewise have a great Effect upon Mens Actions, and some are of such a Nature, as immediately to affect our Constitution, I shall, when any are publicly advanced, as it were in Defiance of it, take care to refute them as they deserve; thereby to prevent the Infection of Peoples Minds, or their being seduced into a Conduct, improper for themselves, or mischievous to their Country.

In the Management of this Work, I shall have nothing to do with Party; *Whig* or *Tory* are Names that I would banish out of the World, as only serving to divide it, and mislead Men in their Judgment of others; nothing being more ordinary, than for them from the Knowledge of one or two of a Party, to form a Judgment of the rest of them; and then from this general Notion or Character, to make Judgment of other particular Persons whom they do not know, but who, yet, are some how or other, rank'd under those general Names. A Way of judging so irrational, that it must produce infinite Mistakes; and yet so common, that most People go by it. For my Part, 'tis Facts shall be my Rule of judging of Men, and distinguishing him, that breathes the Spirit of an *Englishman*, that has the Love of his Country at Heart, and pursues its Interest steadily, from him that sacrifices it to his PRIVATE, or betrays it to a foreign Interest.

'Tis usual for Writers setting out into the World, to address themselves to their Readers with great Promises of their Integrity, Impartiality, and Exactness, unused to Compliments in Conversation, I cannot reconcile my self to them in Writing; and shall refer it to my Readers Observation in the Progress of this Paper, whether I do not actually perform what those promise, as well as stick to the Rules I prescribe here to myself.

But whereas the Author would have his Paper serve for Entertainment, as well as Use, and the continual dwelling on serious, tho' never so important Subjects, may at last disgust the Mind of the Reader; he has for their Relief in this respect, thought proper to give 'em the Substance of the News and Occurrences of the World; hoping to give no Occasion of suspecting his Intelligence, or of displeasing, by his Manner of telling it.

N^o II. WEDNESDAY February 7. 1721.

IT was a Saying of that great Statesman, the Lord Treasurer *Burleigh*; frequent in his Mouth, and founded on the justest Observation of the Constitution, Genius, and History of this Nation; *That England could hardly ever be ruined but by her own Parliaments*. An Opinion, which as it is perfectly agreeable to our Experience, is founded likewise on Reasons weighty enough to make it universally embraced. For it is from this Assembly of Persons from every Part of the Kingdom, that a Prince learns the true State and Condition of it. By their Advice and Assent he enacts Laws

for the Common Good, serving as well for a Direction to his own Conduct, as a forcible Obligation on that of his People. From their Representatives he learns the Inconveniences arising from any Act, and as *Forrescue* says, (*de laudibus legum Angliæ. c. 18.*) *If any Statutes fall short of their intended Efficacy, tho' devised with such Solemnity and Wisdom in the Contrivers of them, they may be soon reformed by the like Assent of Parliament, from whence they Originally flowed*: By their Authority the Delays in our Pleas, (as the same Author says, the Doubts, the Errors, and Abuses of our Courts of Judicature are removed

moved, explained, corrected and reformed. They serve to suggest to the King the Methods proper, as well to promote the Prosperity of the Nation, as to redress all its Grievances, whether in their Affairs of Government at Home, or in their Concerns with Foreign States and Dominions Abroad. They are the Guardians of the Liberties and Privileges of the People, against all Invasions thereof, from any Quarter; are a Check to insolent and licentious Ministers, and a Terror to ambitious and over-grown Statesmen; are a Defence, not only against the Corruption of these, but even against the Violence of a Prince, aiming at Arbitrary Power; They are the Peoples Trustees for disposal of their Money, to supply the Exigencies of the Government; for examining into publick Accompts, to see that it be applied to its true Use and Purposes; and for maintaining the Honour, and promoting the Interest of the Kingdom, that it may not suffer in either Respect; and so long as they duly discharge these Trusts, for which they are invested with sufficient Powers, it is impracticable for any Prince or Ministry to overturn our Constitution, or break thro' it in any material Instances.

But if instead of providing for the real Necessities, and true Interest of the Nation; they wantonly throw away its Treasure, in unnecessary and destructive Wars; or let Officers securely embezzle it, without being called to Accompt; if they can see the Honour of the Nation prostituted, and its Interests sacrific'd, or, as was done by King *John*, its very Sovereignty given up to Foreign Potentates, without expressing any Concern, or interposing to prevent, or put a Stop to such dishonourable and destructive Measures; if instead of moderating between the *Prerogative* of the Crown and Liberties of the People, they should entirely attach themselves to the One, and neglect the other; if under the specious Pretence of Affection to a *Prince*, they should sink into so slavish a Compliance, as to strike in with his Views of *Arbitrary Power*, and support him in the necessary Steps to obtain it; if they should prove such humble Creatures of a *Ministry*, as seeing them engaged in Illegal, Corrupt, and Ruinous Courses, they should either justify their Conduct, or decline to examine into, and punish it as it deserves; if they should thus violate that Constitution which they ought to preserve, should suspend or give up those *Liberties* of the People which they ought to guard; should justify that Corruption which they ought to reform, and patronize those guilty Persons who ought to be overwhelmed with their severest Censures; the Case must be miserable indeed, and then may we justly dread that Ruin, which the Lord *Burleigh* seemed so apprehensive of.

Happy indeed are *We*, that this is not yet Our Case, and that it can never be so without an universal Corruption of the Nation! An Evil, from which the Particulars, who

compose it, must suffer so very much, that we have Room to hope, it never may be; should it, indeed, hereafter ever prove so, wretched to the last Degree, would be the Circumstances of the Nation! For, *quis custodiet ipsos Custodes?* This is stabbing it in its very Guard; 'tis depriving it of the only Remedy it hath against all Grievances, so that the Calamity, Great as it is, seems of an incurable Nature. There are some Heroick Souls who love Virtue for its own Sake, and would not on any Account be conscious of an ill Thing to themselves: But these are few in comparison of those, who act from other Motives, and are virtuous purely for the Reputation of being so. There is not a more powerful Restraint against a Corrupt, Wicked, or mean Action, than *Shame*; but it has its Influence only on Private Men, and does not affect Bodies. When Corruption becomes general, it ceases to be scandalous; it looks almost with the Air of Authority, and there are few, (tho' infinitely to be valued are those few) whose Integrity is Proof against Temptations offered at such a Juncture. So that as a Calamity of that Nature I am speaking of, would in all probability be without a Remedy; We are to wish it may be for ever without a Precedent.

If it has been hitherto unprecedented, it has been owing in a great Measure, to two Points in the Constitution, and Ordering of our Parliaments, *viz.* The Frequency of their Meeting, and the Freedom of their Election; their very Being in a great Measure depending on the One, as their Well-being does entirely on the Other. The One being necessary to maintain the Right of their Sitting, and the Other, to answer the Uses of it; and as this is necessary to keep Corrupt Men from being elected at all, so the other is serviceable to preserve them from being Corrupted afterwards.

The Freedom of Elections shall be treated of in another Paper, the Frequency of Parliaments shall be the Subject of this. A Right, an inestimable Right, which the People of *England* have always claimed; have exercised from Time to Time, and been in Possession of for several Ages. *The Mirror of Justice*, which as Lord *Coke* says in his Preface to his 10th Reports, was written in the Saxon Times, (tho' several Things were added to it by *Horne*, a learned Lawyer, who lived in the Reigns of *Edward I.* and *II.*) asserts it to be the constant Usage of this Kingdom, for Parliaments to assemble twice a Year, or oftner, if need be at London for making of Ordinances for the good Estate of the Realm: If they met oftner, it was upon extraordinary Occasions; but the two Times of the Year seem to be Stationary, and were usually after *Easter* and *Michaelmas*; and whereas in Process of Time, upon the Encrease of the Number of Representatives, these Assemblies were less frequent; *Horne* complains of it in the same Book, as an *Abusion of the Law*. That where-

as Parliaments ought to convene twice a Year at London, they now a days meet but seldom, and at the Will of the King: To prevent the Increase of this Abuse, it was Provided by 5 Edw. II. That a Parliament should be held once or twice a Year; By 4 Edw. III. c. 14. That it should be holden every Year Once, and more often, if need be: 36 Edw. III. c. 10. That for Maintenance of the Statutes, and Redress of divers Michiefs which daily happen, a Parliament shall be holden every Year, as aforesaid ordained by Statute: The same Usage and Right is claimed by the Parliament in 50 Edw. III. and acknowledged by that Prince in his Answer to their Petition. The same Claim and Acknowledgment is made in 1 Rich. II. and their Meeting was not (as the *Mirror* complains) for Aids and gatherings of Treasure, but to Redress Delays in Suits, and to end such Cases as the Judges doubt of, for the Relief of the People in ordinary Cases; and this Right and Ordinance, that Prince in the Second Year of his Reign, assigns as one Cause of his holding a Parliament, and 16 Car. I. Cap. 1. recites and acknowledges the same Right: And as (according to *Bracton*) all ambiguous and intricate Causes were referred to the Determination of this Body; so they used great Dispatch (the Words of *Fortescue*, are, *concito & citissime*) in the determining of them, and in the reforming Abuses; so that the Subject in all Grievances, found in them a ready, as well as a sure Relief.

In those Days indeed, frequency of Parliaments, was a frequency of New Parliaments; each Parliament ended with the Sessions, and was dismiss'd *sine Die*, and scarce any Sessions lasted above forty Days; and accordingly the Wages of Knights and Burgeses were for that Term, and their Attendance required no longer; according to that Memorable Record in *Knighton*, being the Message sent by both Houses to King Richard II. at *Eltham*; wherein they Represent to him, That they have an ancient Statute for it. That in case the King wilfully absent himself, and will not come to Parliament, as having no Care of vexing his People, nor Regard of their great Expences; after forty Days, they are free to go Home, and the King has no wrong done him. These Expences, were then the Expences, not of the Members themselves, but of the Counties and Boroughs that sent Deputies to Parliament; who coming thither without any selfish Views, with Views only to the Good of their Constituents, the common Good of the Kingdom; found no difficulty to reform Abuses, and dispatch the Business before them in so short a Time; and even so low as Queen Elizabeth's time, during the course of her Glorious Reign: A Reign of almost continual Wars, and under which all the Branches of our Trade had their Rise, being a Reign of so much Action; which must therefore afford as much Business for Parliaments, as any since, and yet, (as appears by Sir *Simonds d'Ewes* Jour-

nal) scarce any Parliament throughout it, exceeded that time.

The continuance of a Parliament also for ore Sessions only, was so undeniably the old and constant usage of that Body; that our History and Statute Books, do not afford us a single Instance to the contrary, till the Reigns of Henry VIII. and Queen Mary; the Violence and Arbitrariness of the first, are so well known, that no Body can be surprized at his doing an Act unknown to our Constitution, and forcing a Parliament to submit to it, when perhaps the necessity of his Affairs required it; and as to the latter, 'tis evident what Schemes she had formed for abolishing the Reformation here; and as this was the desire of her Soul, from the beginning of her Reign; 'tis as plain with what view she took this Step, which how absolutely necessary it was for her End, may appear from an Oration made by a worthy Gentleman, Mr. *John Hales* to Queen Elizabeth, and delivered to her Majesty by a certain Nobleman, at her first entrance on her Reign; wherein he tells her, That Queen Mary's first Parliament, wherein she and her Council grounded, and wrought a great part of their Tyranny; And wherein they meant to overthrow whatsoever King Edward had, for the Advancement of God's Glory brought to pass, was of no Force or Authority: For she perceiving her Enemies Stomach could not be emptied, nor her Malice spew'd on the People, by any good Order, she committed a great Disorder, She by Force and Violence, took from the Commons their Liberty; that according to the Ancient Laws and Customs of the Realm, they could not have their free Election of Knights and Burgeses for the Parliament: For she well knew, that if either Christian Men, or true Englishmen should be Elected, it was not possible that to succeed, which she intended: And therefore in many Places, divers were chosen by force of her Threats, mete to serve her Malicious Affections; wherefore that Parliament, was no Parliament; but may be justly called a Conspiracy of Tyrants and Traytors; for the Great part, by whose Authority and Voices Things proceeded in that Court, by their Acts most manifestly declared themselves so; the rest being both Christians, and True Englishmen, although they had good Wills, yet were not able to Resist, or prevail against the Multitude of Voices and Suffrages of so many Evil, false to God, and Enemies to their Country. Also divers Burgeses being orderly chosen, and lawfully Returned; as in some Places the People did what they could to resist her Purposes, were disorderly and unlawfully put out, and others without any Order of Law, in their places placed. *Foxes Book of Martyrs*, Vol. 3 p 819, 820. After this Account no Body can wonder, that a Parliament so Constituted, should be thought necessary

to be continued, contrary to the usual Custom.

There are indeed various Advantages attending these Usages of our old Constitution, and some Mischiefs now complained of, would be effectually prevented by them. Members might duly attend the Service of the Houses, without any Prejudice either to their Health, or private Affairs, or being tired out with a tedious absence from their Families; that Privilege from Arrests and Suits, which Judge *Jenkins* (in his *Treatise of the Inconveniences of a long continued Parliament*) complains of as unreasonable, in the Case of the then Parliament of 1647. ('since the Law allow'd no Protection for any Man employed in the Service of the Kingdom, but for a Year,') would in the Case of the Observance of the Usages, be no Inconvenience at all to any Subject; there would be hardly time enough in a Parliament, to apply properly for the corrupting of a Man's Integrity; and it would be scarce practicable, when the Representative is so continually from time to time obliged to have Recourse to his Constituents for a New Election; and must therefore be careful to order his Conduct, so, as to Merit their Approbation; the Electors would be always truly Represented, and have their Sense delivered, while they have such frequent Opportunities of changing their Proxy, if he should change his Sentiments, and fail in his Trust; the Interest of Towns and Counties, would follow those who naturally have the best Titles to it by their Merit, their Estates, and Residence among the Electors; Strangers would scarce think it worth their while, to purchase at a dear Rate, a Seat for so short a Space; and a constant and quick Return, would create a charge too excessive for any Persons Purse to defray; and might therefore possibly Discourage them from engaging in any Ex-

pence at all; and as there are generally the least Disturbances, where there is least Money spent; the Peace of the Kingdom might possibly be promoted thereby. This is certain, that in former Ages we had not that occasion for Laws against Bribery, that we have now; and if we Appeal to the Experience of this last Age, we may learn, that as the disusage of Parliaments for twelve Years under King *Charles I.* raised up that Flame in the Nation, which brake out so violently in 1641; so the Perpetuity of the Parliament, that the King then in his Distress agreed to, was the Cause of the utter Ruin of our Constitution.

There may be extraordinary Junctures indeed, in which it may be necessary to continue Parliaments a longer time than usual; of such particular Cases I do not pretend to judge; but believe, that what I here lay down, will be allow'd as true in the General; I am sure that the first Account I have met with in History of a Pensionary Parliament, was the long one of King *Charles II.* That all the Patrons of Liberty in those Times declaimed in the strongest Terms against the Continuance of it, and the Friends of the Revolution, who acted upon the truest Revolution Principles, have declared themselves of the same Sentiments; and the famous Mr. *Samuel Johnson*, who was so serviceable in his Writings, to prepare the way for it, as well as to defend it afterwards, expresses himself upon this Subject in these Words; 'Parliaments by the Constitution are not to be Stale, as I have seen one in my time retained above nineteen Years, with *Pensions*, and another for fewer Years with *Places*, and turning out of *Places*: But if a Parliament were Corrupted neither of these ways, yet a Standing Parliament will always stagnate, and be like a Country-Pond, which is over-grown with Ducks Meat.

N^o III. WEDNESDAY February 14. 1721.

FOREIGNERS, in all their Writings and Observations upon *England*, the Wisdom of its Form of Government, the limited Prerogatives of the Crown, and the just Liberties of its People, have constantly attributed all these Blessings to the Constitution of our Parliaments; and it is certainly this our Privilege of Representation, which is not only the Original, but likewise the Security of all the rest. They judge rightly of us since by Comparison; for while they feel themselves at the Mercy of despotick Power, they behold us, as yet enjoying many and valuable Liberties, which they look upon as the Effects of this Representation, and

therefore cannot help envying Our Condition, whilst they lament their Own. It would then be a just Matter of Wonder, as well as Reproach, if we, who enjoy a Privilege which they want, of the Advantages whereof we have had so long, and so happy an Experience; if We, I say, should value it less than They, who never enjoy'd it at all, or have lost it for a Time beyond the Reach of Memory. The being deprived of Blessings, is often necessary to make People value them as they ought; but it is to be hoped, that the People of *England* are not yet so wanton with their own Happiness, or so forgetful of themselves in the Excess of Wealth and Luxury, as to have Occasion

Occasion for such a Circumstance to recommend this particular Blessing to them; but that the bare Consideration of the Nature and Advantages of it, will make us vigorous in our Endeavours to preserve it, as other Nations would, on the least Prospect, be to recover, or obtain it. We have the Example of our Ancestors to urge us on to these glorious Endeavours; who, at a vast Expence of Blood and Treasure, have transmitted this Right inviolate to us; and, shall we not then convey it down to Posterity, as entire as we received it from them? They thought it absolutely necessary for the Security of their Liberties, Properties, and even of their Lives; and therefore ventur'd them gallantly on occasion, that by maintaining this Right, they might live afterwards in Assurance of them. They thought these too valuable to be held by a precarious Tenure, and tho' perhaps they might be possessed, yet, they could never be enjoy'd under the continual Apprehensions of losing them. They thought the Comfort of them was destroyed, if the Security of them was uncertain; and the Moment they lay at the Mercy of another, they considered them as gone. Full of this Spirit and these Sentiments did they nobly on all Occasions, and and on every Manner, assert this Right, and (what is necessary to make it desirable) the *Freedom of Representation*.

This Right having (as I have before observed) been supported and maintained chiefly by two Methods, viz. the *Frequency of Parliaments*, (New Parliaments) and the *Freedom of Electing them*; the former having been considered in my preceding Paper, the latter comes in to be the Subject of this. This *Freedom* indeed necessarily results from the Right of Representation; and I can't conceive, how Persons can with any Propriety be stiled the *Representatives* of a People, who are not by them elected and deputed as such; or of what Use an Election can be, if not made with *Freedom*. The *Freedom* therefore of Elections, is an essential Part of the Constitution of our Parliaments, and has accordingly been always esteemed so. The *Writ* of Summons plainly directs and enjoins an entire *Freedom* in the Election of such, as are to be sent up to serve in Parliament: It commands the *Sheriff* to see that *Knights*, as well as *Burgesses*, *libere & indifferenter eligi juxta formam Statutorum inde edit & provis*, be *freely* and *indifferently* chosen, according to the Tenor of the Statutes in that Case made and provided; and it is required to this End, That the arduous Affairs of the Kingdom may not by any Means remain undone, for want of full and sufficient Powers in the *Knights, Citizens, or, Burgesses* from the Communities they represent, or by reason of the *improvident Election* of them." Now how can those be fully and sufficiently authorized and empowered to act for the People that are not *freely Elected* by them, from whom they derive that Commission and Au-

thority, which is absolutely necessary to make what they do, valid, and accounted the Statutes of the Realm?

Our old Laws are very careful to obtain and secure this *Freedom*; for thus the Statute of *Westminster the First*, (A. D. 1274.) provides, 'That *Elections should be freely and duly made, without any Disturbance whatsoever*. The King is said to *Command* this, and therefore binds *himself* not to disturb any Electors in the making of such *free Elections*; and he commands likewise, under great Forfeiture, 'That no *Great Man, nor Other*, by *Force of Arms, nor by Malice, or Menacing*, shall disturb any to make *free Election*:" and Lord Coke in his Comment upon the above-mentioned Statute, refers to the Statute of 7 *Henry IV. c. 15.* which says, 'That for *Knights of the Shires for Parliament* in a full County, a *free and indifferent Election shall be made, notwithstanding any Prayer, or Commandment to the contrary*: This Statute, he says, was made at the grievous Complaint of the Commons, being interrupted in their *free Elections* by the King's Letters Patents, under pretext of an Ordinance in the Lords House, in 46 *Edw. III.* but for the future it was to be *sine prece, without any Prayer or Gift; and sine precepto, without Commandment of the King, by Writ or otherwise, or of any other*, and this was an Act but *declaratory* of the *ancient Law and Custom of Parliaments*."

It was the old Rule of the common Law, as old as the very Being of our Parliaments, and not the Creature or Result of any Acts of theirs; and, accordingly the late King *William* acknowledges in his Declaration, That according to the Constitution of the English Government, and immemorial Custom, *All Elections of Parliament Men, ought to be made with an entire Liberty, without any sort of Force, or requiring the Electors to choose such Persons as shall be named to them*. And the Act in 1 *W. and M.* declaring the Rights and Liberties of the Subject, asserts it to be a *Fundamental Right*, That *Elections of Members ought to be free*, and declares, That a violating of this *Freedom of Election of Members to serve in Parliament, is an Endeavour to subvert and extirpate the Religion, and the Laws and Liberties of this Kingdom*.

This had indeed been always look'd upon as the fundamental Security of the Lives, Liberties, and Properties of the Subject. In this Opinion the King and People have ever agreed: For as our Princes, whenever they set up for arbitrary Power, and entred into Measures to subvert the Constitution, have still endeavoured to make Way thereto, by the Invasion of this Right; so the People have been always jealous of any Invasion of it, been watchful against it, and opposed it to the utmost, for fear it might be attended with the very Consequences that such Princes proposed.

Whenever therefore we see this Right invaded, we may conclude, there is a Design

to subvert the *Constitution*; and whoever has an Hand in it, ought to be deemed an Enemy to his Country, and every Man that retains any Measure of the old *English Spirit*, will abhor and treat him as such: For to destroy the *Freedom of Elections*, is, (as Mr. Locke says) to cut up the Government by the Roots, and as perfect a Declaration of a Design to subvert the *Constitution*, as is possible to be met with.

Various are the Instruments made use of in the Invasion of this *Freedom*. Various too are the Means employed for this End; but I shall now take Notice only of those which our ill Princes themselves, or such as have possessed themselves of their Power, have actually used or attempted to use, for the carrying on their destructive Purposes. When Queen Mary wanted a Parliament to join with her in the Extirpation of our Religion, she made use of Threats to force the People into the Choice of such Persons as were fit for her Purpose; and when this was not sufficient, she arbitrarily and illegally excluded Members that were orderly chosen, and lawfully returned, and without any Order of Law, placed others in their stead. When King Richard II. pushed on, by the sordid Flattery, and corrupt Suggestions of his ambitious Favourites; proceeded to violent Ruptures with the great Men of the Land, who opposed the *Male-Administration* of those publick Enemies to the Peace and Happiness of the Kingdom: He, to make himself absolute, and crush those noble Persons who opposed his Schemes; and to have a Parliament which might support him in these Measures, summoned all the *Sheriffs of England* to Nottingham Castle, enjoining them to suffer no Knight to be elected in their Shires, but whom the King and his Council should have approved and chose; a Method not much unlike that which Oliver Cromwell took with his Parliament in 1656, of which he suffered none to be Members, but those who had a Certificate from his Council: There being only this Difference between them, That King Richard insisted on his Council's Approbation of his Members, before they were Returned; whereas Oliver required it only, before they sat in the House; and the Reception of them being much alike; for as Oliver's Practice produced a Protestation from about one Hundred of the most considerable Members; so King Richard's Proposal met with an unanimous Refusal from the *Sheriffs*, who not complying at that Time, which was the 11th Year of his Reign, but insisting on the Commons Right of *free Elections*, were dismissed.

Finding this Method then impracticable, he took another, and presently after, issuing out Writs to the *Sheriffs*, to elect *Knights and Burgesses* for Parliament, he inserted this strange and unusual Clause in them, that they should chuse such Men as were in *De-batis modernis magis indifferentes*; a Clause which his Council represented to him, and

the King himself afterwards in new Writs, issued out to supersede the former, acknowledged to be illegal; 'contrary to the form of Election used from ancient Times; and a Violation of the Liberties of the Lords and Commons of the Kingdom, which they had always enjoyed till that Time. Notwithstanding all this, his Favourites to screen themselves from the Resentment of the Nation, prevailed with him to break through this ancient form of Election, and Liberties of the Lords and Commons, and, (as is said in the 19th of the 33 Articles exhibited against him at his being deposed,) 'To send his Commands very often to his Sheriffs, to return certain Persons named by himself, as Knights of Shires to sit in his Parliaments; which Knights, being his Favourites, he might lead, as he had often done, sometimes by various Threats and Terrors, and sometimes by Gifts; to consent to such Things as were prejudicial to the Kingdom, and exceeding burdensome and oppressive to the People.

When that weak and easy Prince, Henry the VIth, always led by his Favourites, and made use of by his corrupt Ministers, as a Tool, to gratify their Passions, and serve their Interests; did, in Compliance (as the Act 39 H. 6. c. 1. says) with the Importance of those seditious and evil disposed Persons, having no Regard to the dread of God, nor to the Damage of the Prosperous Estate of the King, nor his Realm, summon a Parliament at Coventry in the 30th Year of his Reign, for no better an End, than to destroy certain of the great Nobles, faithful and lawful Lords, and Estates of the King's Blood, and other of the faithful liege People of the Realm of England, for the great Rancour, Hatred, and Malice which the said seditious Persons of long Time had against them, and of their greedy insatiable Covetousness to have the Lands, Hereditaments, Possessions, Offices and Goods of the said Lords, and faithful liege People." He took Measures as dishonest as these Views to attain them. It is natural to imagine, that unless the whole Nation was as corrupt as his Ministers, he could not easily, in case of a free Election, find a Parliament that would support them in such Things. He was therefore necessitated in the Pursuit of them, to violate this freedom of Election; 'for a great part of the Knights for divers Counties of the Realm, and many Burgesses and Citizens for divers Boroughs and Cities, were named, returned, and accepted; some of them without due and free Election; some of them without any Election against the course of the King's Laws, and the Liberties of the Commons of this Realm, by the Means and Labours of the said seditious Persons.

Such a pack'd Assembly as this, (for I can hardly allow my self to call it a Parliament) was not likely much to advance either the King's Welfare, or the good of the Kingdom; and accordingly we find few of their

their Acts were made for this End, ' Though greater part of the Statutes and Ordinances made therein, being laboured by the Conspiracy, Procurement, and Excitation of the said evil disposed Persons, for the Accomplishment of their Rancour and inordinate Covetousness, and against all good Faith and Conscience, finally to destroy the said lawful Lords, Estates and Liege-people, and their Issues, as well Innocents, as other, and their Heirs for ever.' Acts of this Nature, by what Authority soever made, ought to be reversed and annulled, as those of this Parliament were by the next, in 39 Hen. VI. But there was such a Defect in the Constitution of this Parliament, that the following was not content with the revoking its Acts, but to distinguish it with more particular Marks of Abhorrence, declared it to be void, and bolden for no Parliament.

These are some of the Instances wherein our Princes have broke in upon the Peoples Right of freedom of Elections, as well as of the Means whereby they have done it; the Ends they have had in View in these Steps, appear to tend as little to the Honour of the Prince, as the Quiet of the People; and if the latter, from this Account of them, has Reason to dread and guard against 'em, the former has very poor Encouragement to repeat 'em; for what was the Consequence in these Cases? In that of Hen. VI. the Act says, That from his forementioned Practice, many great Jeopardies, Enormities and Inconveniences, well nigh to the Ruine, Decay, and universal Subversion of the said Realm have ensued; and History tells us, that hereupon first burst out the Flame of the Civil War, which ended in the Ruine of Henry the Sixth, his Son Prince Edward, and the greatest part of his Adherents. In that of Queen Mary, (before mentioned) by getting a Parliament to her Purpose, she well nigh at-

tained her End; she abolished the Reformation here, but it was only for a Time, for she died before she could utterly extirpate it; she died after an uneasy Life, for Grief, occasioned by the loss of Calais; and of all the Territory left the English in France, which they had enjoyed for two hundred Years together; a Loss! which the Kingdom owes to that very Parliament which projected and authorized the Spanish Match; subjected the Kingdom to a foreign Prince, and thereby expos'd it to the certain Danger of being engaged in expensive Wars for the sake of his foreign Dominions, as we found it in the Event; an Event! that ought never to have been forgotten, because it can never be enough lamented by us. In the Case of Richard II. he had abundant Reasons to repent of his arbitrary Proceedings, and Invasion of the freedom of Elections; for as it is made a great Article and Ground of his being deposed, so was it attended with such Discontents in the Nation, as made his own Followers and Troops desert him, and enabled Henry IV. to seize and mount the Throne without Bloodshed, and almost without Opposition: An Event, which was soon followed with the Death of K. Richard, though it had more lasting ill Consequences to the Nation, by laying the Foundation of a disputed Succession, which involved it in all the Calamities and Miseries of a Civil War, and was not ended but with the Death of some hundred Thousands of our Countrymen, and the loss of more of the Blood of our Princes and Nobility, than all the Wars of France had shed.

Such have been the Consequences of a Violation of this invaluable Right of the Freedom of Elections! a Violation, that every Lover of his Country must abhor, that no Prince that has a regard for Justice would commit, and no Subject that has the true Spirit of an Englishman would bear.

N^o IV. WEDNESDAY February 21, 1721.

IT never was a Principle received in England, to look upon our Princes as infallible, however any have thought so of our Parliaments. 'Tis a Maxim indeed, in Law, That the King can do no Wrong, but it is founded on this Reason, because, his Ministers only are answerable for it, if any be committed: Every Error in the Prince's Conduct being deemed to arise from an Error in his Judgment, which is still supposed to be misled by the false Representations, or evil Suggestions of his corrupt Ministers.

To guard against such Mistakes in the Prince, and to punish such Corruption in his

Ministers, as well as to prevent, or remedy the Evils flowing from both, is the Business of a Parliament; That great Council of the Nation! A Council! which we ought to wish were indeed infallible; but, since that is a Perfection denied to humane Nature, we ought, however, to exert our utmost Endeavours, to have it compos'd of Members, whose Views and Methods of Life, whose Principles, Temper, and Understanding, whose Integrity and publick Spirit, might add a Reputation to the Authority of that Body, and advance its Counsels and Resolutions as near Infallibility as possible.

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This, the Prince, who is to receive Advice from it, ought to wish for, at least, as much as the People; for it is his Interest equally with theirs, and therefore, unless he is weak enough to mistake, in so material a Point, or has Views, inconsistent with the Good of the Nation, he can never be seduced into any Measures contrary to so desirable an End; an End! which nothing can advance so much, as the People's being left entirely to a free Choice of their Representatives. For the Body of a People are hardly ever mistaken, as to the true Interest of a Nation, or in their Judgment of the Persons, most likely to promote it; and it is so evidently their Interest to choose such, that we may justly conclude, That were they left to themselves, they would always do so. What Reason tells us in this Case, Experience, constant Experience confirms: For, if we search into the History of this Nation, we shall find it true, That our best Parliaments have been the Result of the People's free Choice, and we have scarce ever suffer'd from a Parliament, but when this Freedom has been invaded.

A wise therefore, and a good Prince, who knows and pursues his own, and his People's true Interest, will never interpose his Authority, to take away, or interrupt this Freedom: A Richard the Second, a Queen Mary, or an Oliver Cromwell; a weak, obstinate, heady, and ambitious Prince, that has Designs against the Liberties of his People, like the First; one, that like the Second, forms Resolutions to subvert the Religion of his Country; or, like the last, usurps the Power he claims, and may therefore be supposed desirous of the utmost he can grasp; may perhaps be carried into such a Conduct, but it is hardly to be conceived, that any other should.

There is, however, in our History, another Instance of such an Invasion of this Freedom, which I have not yet mentioned, and cannot sufficiently wonder at: It was in the Reign of Henry IV. One of the wisest and most politic Princes, that has yet sat upon the Throne of England; which makes it more amazing, how he should be guilty of such a Step, as considered in all its Circumstances, is perfectly unaccountable. He had been Witness of the Clamours raised against Rich. II. for inserting in the Writs for a new Parliament, a Clause so gentle, and in Appearance so inoffensive, as 'That Persons who were indifferent in the Disputes of that Time should be chose: He had seen this, and other Invasions of the Freedom of Elections, contribute greatly to that universal Disaffection of the People, which being follow'd by as universal a Defection, ended in the Ruin of that Prince, and was alledged as a Ground for his being deposed: He knew this, and yet, whether there is any Witchcraft in an ill Title, to put a Man on violent Measures, in the Exercise of the Power he has seized; or whether any strong Passion got the better of his Judgment, and hurried

him on to run the Hazard of losing that Favour of the People, to which he owed his Crown; he fell into the like Measures with those that his Predecessor had been deposed for: For Baker tells us in his *Chronicle*, 'That in the 6th Year of his Reign, he call'd a Parliament at Coventry, and sent Procefs to the Sheriff to choose none that had any Knowledge of the Laws: And Walsingham says, 'That the King commanded to add a Clause in the Writ of Summons to Parliament, That no Lawyer should be returned. But as to the particular of the Writ he is mistaken, for there is no such Clause in it; however, it is (in what would produce the same Effect,) in the King's Letters Patents or Proclamation for calling the Parliament. For this would encourage the Sheriffs to make Returns as illegal as the King's Directions; and was an Assurance, that they should be supported and justified by him in so doing; and if any unfair, fraudulent, or violent Practices were used in the ensuing Election or Returns, they were but the natural Consequences of that Proclamation, and ought to be ascribed to it. I do not indeed find any Complaint thereof in that Parliament; but perhaps it was not to be expected, that those who sat there by Vertue of such illegal Returns, or unfair Practices, should either complain of them, or censure the Step which occasioned them. In the next Parliament, however, in the 7th Year of his Reign; the Commons made a grievous Complaint, for being Interrupted in their free Elections, by Means and Encouragement of this Precept of the King's; and this Complaint produc'd the Act 7. Hen. IV. c. 15. for securing the Freedom of Elections, notwithstanding any Prayer or Command to the contrary, i. e. as Lord Coke interprets it, 'They were to be made without any Commandment of the King by Writ or otherwise, or of any other. Herein expressly prohibiting the Crown's giving any Directions in a Proclamation, or any other Manner, either as to the choosing or rejecting of Persons, who shall appear as Candidates at an Election.

There is doubtless an End of the Freedom of Elections, when a Prince interposes in them: The common People, who, living out of the Sight of Greatness, live also, without the Desire of it; and have no Ends to serve but their common Good, would, if left to themselves, hardly ever err in their Choice; but, tho' a Man judges without Passion, it will be of little use, except he acts without Fear; and therefore, that Act. was made to prevent all Occasions of it, from every Quarter, as well as from the Crown. The King indeed has the greatest Power, and is chiefly guarded against, by it; for his Influence must be very extensive, and if he should at any Time think fit to repeat the Direction complained of in this Act; every Body that would make his Court to him, would find himself under a Necessity, either of observing it, or of quitting all Pre-
tensions

tensions to his Favour; and in this Case, 'tis a Jest to pretend, that an Election is free, where the Crown thus interposes. Nay, let this Direction be given, not in the Way of *Precept*, but of *Recommendation*: Let it be couched in the softest Terms, and gloss'd over never so smoothly, 'tis an Infringement of the People's Rights, and a Breach of this Act, which requires, That Elections be *freely* made, without any *Prayer* in relation to them, and it will have the same Effect as a *Precept*; for the *Request* of a *Superior* is virtually a *Command*, and often has a greater Effect, whilst the Manner of delivering it, recommends it more persuasively to the Person who receives it.

A King, who is entrusted with the highest Power in a State, lies under the highest Obligations to use it well; and is infinitely concerned in point of Interest, to raise in his People an Opinion that he does so: And as nothing will destroy this more effectually, than the Invasion of a Right they are so justly fond of; those Ministers who for securing to themselves, the Possession of a Power they do not deserve, shall advise him to Directions of this kind, do but ill consult his Service: when they are sure to give the People a Jealousie of his Designs, for extraordinary Steps are seldom taken to no Purpose, and *illegal* Measures can only tend to *illegal* Ends.

The Law, which forbids a Prince so general a way of soliciting the Votes of Electors, condemns also all *particular Solicitations*, whether in the way of Threat or Persuasion. I might here enlarge upon the great Influence the *Crown* has over those Persons, who either enjoy, or are desirous of those many profitable Offices, it has in its Disposal, and that when the Hopes of enjoying, or the Continuance of Possession of these Places, depend entirely upon giving a Voice at an Election, according to the *Recommendation* of the *Crown*, such Elections ought not, nay, cannot be called *Free*. I might also insist, that the Money raised for the Exigences of the State, is lodg'd in the hands of Officers appointed by the *Crown*; who have it in their Power to divert it from those publick Uses, for which it was given, and employ it for corrupting of Votes, and securing Elections. Such an abuse of the publick Money! as notwithstanding the ill Consequences attending it, Experience has shewn us, 'tis possible for *some Persons* to be guilty of; but these are Points of too important a Nature to be touched in a transient manner, and are therefore reserv'd for distinct Papers, but in this, I shall particularly confine my self to the Opportunity the Prince has to break in upon this Right of the Subject, by the appointment of *Sheriffs*, and the keeping up of a *Standing Army*.

By the appointment of *Sheriffs*, the King has the Returns of Members in a great Measure in his own Hand; for they being the Creatures of his Will, may be easily sup-

posed, to be very much influenced by his Direction: The Trust placed in Officers of this kind, is of the highest Nature; and therefore the Law has required it to be vested in Persons of Substance, whose Estates are a Security to the *Nation*, for their good discharge of it, in what concerns the Publick; and to private Persons, for the Debts owing to them, by Prisoners committed to the *Sheriff's* Custody; but it is in the Power of a Government, or Ministry, to put Persons of such loose Principles, and inconsiderable Fortunes in this Post; as may be ready to undertake any Drudgery, and make any Returns, that they shall put them upon. The present Archbishop of *Dublin*, has observed when this has been actually done; and says, It is Demonstrable to be done with design of making a Prince Absolute, for 'Men of broken and desperate Fortunes, having nothing else to depend upon, but the Prince's Pleasure, must be absolute Slaves to it, and yield blind Obedience to, all that is given them in *Commission*'. A Prince who has no such Designs in view, will never entrust Persons of such Circumstances, with a Power of this Nature; but if any should hereafter entertain them, and take this Step to put them in Execution, a farewell to the Freedom of our Elections, to our Liberties an eternal farewell.

It behoves therefore every Lover of his Country, every Friend of its Liberties, to oppose every Step, of whatever kind it be, that tends to destroy this Freedom, and oppose it to the utmost of his Power. A lazy or timorous Asserter of Privileges, like Ours, is unworthy, as well of the Liberties, as the Name of an *Englishman*. They would never have been maintain'd so long, but by different Spirits, by a Spirit, that stuck at no Difficulties to be met with in the Support of them; and when all other Methods of Redress failed, hazarded Life itself to preserve or retrieve them. To be deterr'd in such a Juncture as this, from appearing in one's Country's Cause; out of an Apprehension, that a *Sheriff* will be so corrupt, as not to do Justice to the Candidates, and make a due Return; argues very little of that Spirit, which animated our Ancestors, and enabled them to transmit these Privileges down to us. Presumption of Injustice ought to lie against no Man, till he be guilty of it; such an Apprehension therefore, ought not to be encouraged, because 'tis not founded upon proper Reasons; but were the Grounds of it never so Just, were the Event and Injustice never so certain, a Man of Spirit would not desist on such an Account. 'Tis of some use to force a Man to a scandalous or odious Step; it exposes a corrupt Man, who might have done Mischief, by being longer a concealed Villain. It raises the Resentment of all who are concerned in it; puts them upon proper Measures to punish it, as well as prevent the like for the future; and is often the Occasion

on of an effectual Stop to the Repetition of it; and if a Man should not attain the immediate End he aims at, he may have some Satisfaction, in doing thus much Service to his Country.

Now the Power of disposing Offices, keeping the Treasure of the Kingdom, and appointing *Sheriffs*, are very great Trusts reposed in a Prince; but do not express so great Confidence in him, as the entrusting him with a *Standing Army*: This puts the Liberties and Lives of the whole Nation into his Power, and is therefore only fit to be trusted with the best of Princes; but should the Power of it be used no other way, yet the bare *quartering* Soldiers, when continued for any considerable time, is, in many Places, so harraishing and expensive to the People, that they would sacrifice their Votes, and submit to any thing required of them, only to get rid of that Evil; and it is a Temptation to those who have the ordering these *Quarters*, to manage so, as may best answer their own private Views, tho' the *Freedom of Elections* is manifestly invaded thereby.

Now though, I must confess, this Hardship presses close upon the People; yet, for a Man to give his Vote, to a Person he dislikes, for no other Motive, but to avoid some Inconvenience in the *quartering* of Soldiers; much more for a *Corporation* to choose such a Representative for this very Motive, is a wretchedness, that none but miserable and slavish Natures can sink into. If the little Creatures, surrendred only their own Freedoms into the hands of the *Man of War*; whose forbearing to oppress them longer, can engage them to make him such a Return, and place such a Confidence in him; one would wish them to be *Dragoon'd* into more Obligations of this kind; but alas! they trust the Priviledges of all their Countrymen into the same Hands; and if the Aggressors in the Violation of the Freedom of Elections, may be call'd the *Invaders* of that invaluable Right; such tame Submitters to the Violation, may be call'd the Be-

trayers of it, and deserve the Contempt of their Countrymen, for such a Conduct, as much as the others do their *Vengeance*.

Then for a Man to know of any other Corruption; whether in the abuse of publick Money or Power, or in any other way prejudicial to this *freedom* of Election, and not oppose it if he can, or at least expose it, is a shameful neglect of the Duty he owes his Country. In Cases, where the Publick is concerned, no Man should be idle or silent; in old *Rome*, it would have been an Honour to be a Prosecutor in the case of such a Corruption; and *Plutarch* makes it to be one of the noblest Parts in the Character of *Cato*, that he bound himself in an Oath, that he would be the Accuser of whomsoever he should know to have given Money for the purchasing Suffrages for Elections. And there was a Law which appointed Rewards and Honours for those which should impeach them. This might prevent the Secrecy of Crimes of this kind; and to make such Corruption publick to the World, is to raise a general Resentment against it, which those who are not utterly abandon'd to it, may be reclaim'd by; and which, when other Methods have been try'd in vain to redress this Grievance, may put People on doing themselves Justice by the last Efforts that are to be made use of by a brave Nation, to retrieve their expiring Liberties; for this is undeniably that Privilege, which secures to Us the Enjoyment of all that we claim besides; the present Archbishop of *Dublin's* Sentiments are very just on this Head, 'Whoever (says he) knows the Constitution of *England*, must observe, that the Subjects have no other Security for their Liberty, Property and Lives; except the Interest they have in choosing their own Representatives in Parliament. This is the only Barrier they have against the Encroachment of their Governors; take it away, and they are as absolute Slaves to the King's Will, and as miserable, as the Peasants in the most absolute Government in Europe.

N^o V. WEDNESDAY February 28. 1721.

THE approaching Dissolution of the present Parliament, calling upon me to descend from general Subjects to particular Ones; I know not where to begin my Addresses better, than to our Glorious, and Flourishing City of *LONDON*: The Great Capital of our Land of Liberty; whose Example always had, and will now, I hope, have great Effect in influencing all other Parts of the Kingdom, at this important Season.

From a View of our Story we shall per-

ceive, that this City always had a prodigious Influence upon the Affairs of the Nation. It has ever given the Turn in all Alterations, and been the principal Spring in all Motions; the Reason of it is very obvious; the Country very justly looks upon the *Londoners*, to have the greatest Interest in the publick Safety; to know best, wherein it consists; and to have the fairest Opportunities of discovering, what Attacks are made against it. When any Invasion upon the Publick is attempted, the first Beacon is lighted up here,

to

to give Warning to all Parts of the Land, of the approaching Danger. From hence, then, it has been observ'd, That no King ever prospered, that bore hard upon the City; and when that was oppress'd, Designs were then hatching to invade the National Liberties, subvert the Constitution, and introduce Arbitrary Power. *William the Conqueror*, has been falsely called so, since the City oppos'd him not in his Ascent to the Throne; and the *Rebels* in 41, had never succeeded in their Villany, had not the City been Corrupt.

But the many Advantages this City enjoys, cannot but make us think, that they will be very active in the Preservation of them; and consequently we cannot judge by a better Rule, than what they propose to us. Its Dignity, its Wealth, its Compass of Trade, its many and valuable Priviledges, are all of them Considerations to themselves, to be highly cautious in this important Affair, and to us, to imitate their Example. They have a Right of being govern'd by their own Laws, and those Laws executed by *Magistrates* of their own Choice. They are the Source of the Wealth and Affluence of a whole Kingdom, the richest Spot of Earth in the World, for the Bigness of it. They are not the contemptible Creatures, *Citizens* in other Nations are. Some among them, (and those not a few) live in a Port and Manner; most *Foreign* Noblemen, and some that are stiled *Princes*, cannot pretend to come up to. I cannot here forbear mentioning a Story I have often heard, of the Duke *D'Aumont*; one of the finest Gentlemen, even *France* could boast of. He was burnt out of his House, when Embassador here, and fled for Refuge to his Neighbour Mr. *Caverly*, a Dancing Master. To entertain his illustrious Guest, he appointed a *Ball*, whereto, none but City Ladies were invited. The Girls, to be sure, put on their finest Cloaths; but the Idea, so glorious an Appearance gave that Polite Duke, lasted so forcibly upon his Mind, during his Residence here; that he never saw a Lady, in a remarkable Rich Dress, but he called her, by way of Excellence, *Fille de Marchand*. And yet, every Body knows that Duke was a Courtier.

'Tis a Sign we are a Free People; when we are not bound, up by those silly Prejudices of Blood and Family, that Tyranize in Despotick Governments. Several Noble Families amongst us, derive their Original from the City; and several of our *Citizens* are of Noble Descent. The poor *German Count*, would choose to Starve honourably, rather than Marry a Woman of the best Qualities and greatest Fortune, if her Descent was not Noble; and the little *French Marquis* would resist the importunate Cries of Love and Hunger, rather than satisfy them at the Expence of taking the Daughter of a Merchant, on what he calls *dishonourable* Terms. But let us leave the *Foreign* Nobility to their Pride and Poverty; we desire none of them amongst us. But as for our own, let not a

Lord swagger because of his Title; for the lofty Peer has been often seen to go an humble Suitor into the City, and more than Once, the Daughter of a Trader has slighted the Addresses of a Duke.

But a farther Motive to induce us to follow their Example; is, the Consideration of the Impossibility of their being Corrupted, or their Judgments influenc'd by the Power of Money; this would be as unnatural to think, as that Streams should flow back to their Fountain Head. 'Tis hence, the profligate Courtier must borrow Money to carry on his Evil Designs; he is so far from bringing any thing into it to benefit himself thereby, that he is obliged to take out of it, even to the Loss of his Estate, and the Hazard of perpetual Poverty. 'Tis preposterous then to imagine, the City can be Bribed: and as that is the fatal Engine, that is chiefly applied to bring about the Ruin of our Constitution, we shall in a great Measure evade the Blow by such a prudent Imitation.

I might now in Return, from the very Consideration of their Influence upon the whole Kingdom beside, endeavour to persuade the *Londoners*, to be more particularly careful in the ensuing Election. That they should seriously consider; That should any Infatuation prevail amongst them, so as to elect bad Members; they would not be answerable to their Country, for electing only four Traitors, but for almost all the unhappy Elections, since the rest of the Kingdom is so strongly influenc'd by their Example. Would it not be an eternal Reproach for the City, to send Corrupt Men to Parliament, at a Time, when it abounds with *Citizens*, every way qualified for this Important Trust? But when I consider the prudent Choice they have made of *Magistrates* for some Time past, all such Apprehensions die away in me. I can scarce form in my Imagination, a Man so hardened in Impudence, as to dare, to propose himself to this honourable and wise Body, if he be conscious to himself of the least Guilt. Tho' I have no Reason to fear this, yet I hope my Anxieties will be pardon'd, as the Anxieties of a Man, jealous for the Good of his Country.

The City of *Westminster*, as next in Importance to *London*, deserves next to be considered; but as this City has already declared its Inclinations, to depute one of the most penetrating, understanding, and disinterested Patriots in the Nation, to serve them in Parliament; nothing remains, but to applaud them for so prudent a Design; and to recommend to them the Care of joyning to him, a Person worthy of him, and then I dare say, no Place will be better Represented.

The Borough of *Southwark* is considerable for its Wealth; and if a due Regard to their own, and the National Interests, should not direct them to a right Choice; yet, methinks they should be deterred from sacrificing their Country, by considering, what an indelible

Reproach it would be to them to neglect the bright Example of two great Neighbouring Cities.

I am obliged, to break off a little abruptly from this pleasing Subject, to make Room for the following Letter, which I have just now Received. The Design of it is apparently Good, and I publish it, to shew the World, that I shall at all Times prefer what comes to me from an Understanding Correspondent, to my own Productions.

Mr. Freeholder,

I Have read all your Papers, and approve the Conduct and Design of them; I could wish that your last Journal were in the Hands of every Freeholder in England. In it you touch on the Inconveniences of a Standing Army, a Topick very useful to the Nation, but more particularly so, to that gay City, whereof I am a Member. To give you the Assistance, which a Man, who lays himself out for the Service of his Country, deserves, in the Prosecution of so generous a Design; and, to vindicate you from the Imputations of Disaffection, which Corrupt Men, throw with great Liberality, on all who are unlike themselves; I send you the following Preface, of Mr. Samuel Johnson, an Author, whom you have already cited; who by his Education of the unfortunate Lord Ruffel, and by his Zeal and Activity at the Revolution, is an unexceptionable Evidence for you; he says, 'A standing Army was always a Name of Dread and Horror to an English Ear, and signified the worst sort of Invasion, being intestine, and already got within us. But I will detain you no longer from the Preface, but while I assure you, that by the Publication of it, you will oblige several Persons of Distinction, your Friends, but none more than, SIR,

Your Humble Servant,

Cives Bathoniensis.

Tu consolationis fortasse aliquid expectasti: nihil invenio, nihil fieri potest miserius, nihil perditius, nihil fadus. Cic. Epist. ad Att.

THE whole Controversy about a Standing Army, which is a Dispute betwix-

Legions and Laws, has been cautiously managed on both sides, for no one Author has set his Name to his Book: The Author I Write against has suppress'd his, for which Reason I have forborn mine; meely to be conformable. I am very certain, so as to be able to make it out to any Man, that what I have here Written, is the best and truest Service I was capable of rendring to the King, which I am bound to do; and to my Country especially; for whose Sake it is, that we have a King at all, and for whose Good and Benefit that Office was instituted, 'For an English King is made and ordained for the Defence of the Law of his Subjects, and of their Bodies and Goods; whereunto he receives a Power, deriv'd from his People, so that he cannot govern his People by any other Power,' *Ad tutelam legis Subditorum Rex erectus est, &c.* as Fortescue says. p. 32.

On the other Hand, they who are for a Standing Army, endeavour to alter the Government all at once; and make it absolute and Arbitrary, whether the King will or no, and tho' he have no Mind to it. For if he have a standing Army, he can enslave the Nation if he will, and then they are Slaves already. For to depend upon Will and Pleasure, is the lowest Degree of Slavery; and that he will not use them like Slaves when he can every Moment, is more than a Nation can possibly know, or even he himself. The greatest Slaves we know, are but Dragoonable, they are not always actually Dragoon'd; that is Time enough when it comes.

And therefore, they that go about to Arm the King, against the Constitution; and to make him the Rickety Head of a Weak and Languishing Body, are common Enemies both to him and the Realm. For tho' the Genius of a Hero, and Personal Endowments make a Great Man; yet, it is a great and considerable People alone, which makes a Great King; and a Greatness built upon their Ruins, is a false and ruinous Greatness, and such Power is always Weakness.

N^o VI. WEDNESDAY March 7. 1721.

I Would willingly have declined the Praises given me in the following Letter; but that I know 'tis necessary, that my Country must have a good Opinion of me, before I can be thought capable of doing it Service. I wish this Consideration could have its due Weight in all the Elections in England.

To the FREEHOLDER.

SIR,

March 3, 1721-2.

HAVING employed your Pen so usefully in the Matters relating to Elections, I take the Liberty to send you the following Thoughts and Hints on that Subject; and

should be very glad if your abler Pen wou'd digest the same into such a Form, as may make it more useful to the Publick. I perfectly agree with you in your Notion, for our common Safety, and I think the Time is now come, when BRITONS must speak out, or we for ever after may hold our Peace. I beg you'll believe me in the Number of your Admirers, and that I am, with a just Esteem,

SIR,

Your Faithful, and most
Humble Servant,

Philo Britannicus.

IT

IT is certain, that for whatever Place any Person is chosen, he is thereby one of the Representatives of the whole Nation, and in Virtue of the Choice made of him, derives his Authority from the Constitution, and is in Honour and Conscience obliged to act and vote for the Good of his Country, according to the best of his own Judgment, how different soever that may be, from the Sentiments of those who chose him.

It is therefore of the last Importance to the Electors of *Great Britain*, who have any Regard for the Happiness and Welfare of themselves, and Fellow-Subjects; to be thoroughly informed of the Characters of those, in whom they shall think fit to repose the highest Trust: For if a Majority of *improper Persons* should happen to be returned for the ensuing Parliament, the *British* Liberties will be in the utmost Peril; and the little Advantages which some Electors may gain by giving their Votes, will be a poor and sorry Recompence for that inexpressible Ruin, towards which they contribute. The Bible is in all their Hands, and they would do well to read and consider the Story of that arch Traytor *Judas*, who in deep Remorse and Despair, returned the Price of his Treachery, and became afterwards his own Executor.

Many and frequent have been the Attempts of wicked Men, to destroy our excellent Constitution; which God, in great Mercy to us, hath been pleased hitherto to preserve; and we are encouraged from the Story of *Sodom* to hope, that if there are but a few Righteous left, his gracious Providence will still watch over us for Good. But if Religion be made a Jest, and moral Honesty expos'd to Ridicule; if Bribery and Corruption appear openly at Noon Day, and meet with universal Applause and Encouragement, even from those who are most obliged to suppress the same; if those, and many other Impieties should happen to prevail, as universally as another kind of Wickedness did in the aforesaid infamous City; I say, whenever this shall happen to be our Case, we may conclude, That the Day of our Desolation is not far distant, and that some exemplary divine Vengeance will soon overtake us.

Amongst the many Attempts upon our happy Constitution, surely nothing ever came up to what we at present see. Such general and strong Endeavours throughout the whole Kingdom, to corrupt by all kinds of Bribery, the Electors of *Great Britain*: Surely this is laying the Ax to the very Root of the Tree, and hewing down the *British* Liberties by one bold Stroke. For if a Majority should obtain their Seats, by Methods of this kind, what Ruin, what Mischief may not the Nation dread from such a Senate, who will be no more theirs, than they will be the Representatives of *Poland* or *Muscovy*?

Is it not highly reasonable to believe, that those who at a great Expence purchase the

Votes of their Electors, intend to sell their own, in the House of Commons, and to reimburse themselves in the best Manner they can; and will stick at nothing for a proper Price, which can be proposed to them; whether to make the ensuing Parliament *perpetual*, or even to *abolish* Parliaments for the future: There is nothing so bad, which may not justly be apprehended from such an Assembly, as I have supposed; nor can the Nation, in such a Case, have any other Security for their Liberties, but the Goodness of the KING, and the Virtue of his *Ministers*.

I have heard it said, that there are some, who Purchase their Elections, with laudable Views; (*viz.*) To have thereby an Opportunity to struggle for their Country, and to keep out ill Men, who they know would destroy it. I can never approve of *doing Evil that Good may come of it*, but would rather Advise, to act in all Cases honestly and uprightly, and leave the Result to Providence; but I believe the Instances of this kind of Corruption are very rare, and altho' blame worthy, would do no Harm; and I may venture to affirm, That where One acts on Motives of this Kind, there are Ten who proceed with very different Views; *viz.* To secure to themselves the Employments they already have, or to acquire those which they desire and want; and 'tis highly probable, that those who enter a House of Commons on this Foot, will act so consistently with themselves, as not to disappoint themselves in what they chiefly intended.

But of all others, none deserve so severe a Censure, as those who expressly apply themselves to the Corrupting of *Boroughs*; and in proportion to the Mischief of this Sort which they are able to perform, value themselves on the Greatness of their Interest; surely such as these are *Brokers* for the Devil! and by whatever Titles they may be *dignified* or *distinguished*, will be consider'd by all Good Men, as the most dangerous Underminers of the *British* Constitution.

Let me therefore Conjure all my Fellow Subjects and Electors, seriously to weigh this Important Subject, and by a prudent Choice of Representatives for the ensuing Parliament, secure their own, and the Welfare of their Country; and I pray God to direct them in this their Day, to consider of the Things which *belong to their Peace*.

As to such Candidates, who have already served in Parliament, the Electors may be easily informed what their Conduct has been and can judge, whether it be, or be not agreeable to them; and as to Others, they must, as well as they can, learn their general Character, and way of Thinking; and likewise theirs by whom they shall happen to be recommended: And they have also a Right to know from the Candidates themselves, their Opinions of such Publick Matters as may probably come under the Consideration of the next Parliament.

There are many Heads on which Electors may interrogate their Candidates; but none

I think of greater Importance, than their Opinion, in relation to the Act for *Septennial Parliaments*. I know some Gentlemen who came into that Law, do heartily Repent thereof; and think, (as I in my Conscience do) That it has been attended with very ill Consequences; and I am firmly resolved not to give my Vote in those Places, where I have a Right to do it, to any Candidate who shall not previously declare his Agreement with me in Opinion, in this Matter; and give his sincere Promise, to use his utmost Endeavours for re-establishing *Triennial Parliaments*; which we obtained by an Act in the sixth Year of the Reign of our Glorious Deliverer King *William the Third*, and by which, the Constitution of Parliaments was brought much nearer to what it originally was; and I am firmly perswaded, that those who are unwilling to come into such a Promise, will be very easily perswaded, to add Eight, or any other Number of Years to the further Continuance of the ensuing Parliament.

I am likewise resolved to give my Vote for no Candidate, who is not in the Sentiments of making the strictest Enquiry, into the Application of the Publick Money; and particularly the *Two Hundred and Fifty Thousand Pound*, granted some Years since, for ending the War in the North: The Causes of the Deficiency of about *Eight Hundred Thousand Pounds* of the Civil List, already supply'd by Parliament, and such further Deficiencies as may hereafter happen to be laid before them: The Reasons why the Debt of the Army, which was at first estimated at under *Four Hundred Thousand Pounds* has swelled to above two Millions, whereof *twelve Hundred Thousand Pounds* has been certified for *Foreigners*, and who shall likewise strictly enquire into the *Advantages* which have accrued to *Great Britain* by the *Baltick* and *Mediterranean Squadrons*; whereby the Expences of the *Fleet* have been exceeded more than *Three Millions Sterling*, over and above what had been necessary in a Time of Peace, computing according to the Establishment for the present Year.

It will also well deserve the Enquiry of the Electors, who were for and Against the fatal *South Sea Scheme*, and the two *Insurances* in the several Steps which the same took in the House of Commons: Who were for and Against some Laws which have passed, and others which have been attempted, for Trying Crimes out of the Counties, where the same were committed: Who were For and Against the Peerage Bill. The Suspension of the *Habeas Corpus Act*, the Subsidy granted for the Use of the present King of *Sweden*, and allowing so great a Standing Army in Time of Peace? who were For and Against establishing Military Law in a Time of Peace, when that Matter was fully debated some Years past, in a very numerous, if not the fullest House of Commons which hath been, during the present

Parliament: Who were of the 115, who Voted for bringing in a Bill for Repealing Part of the last Years *Quarentine Act*, and the 75, who opposed the same: Who were of the 61, who were for Reporting the Bill relating to the *Freedom of Elections*, and the 30 who were against the making of that Report: Who were of the 142, who asserted the Right of the Commons of *Great Britain*, to examine in the most solemn Manner; and the 144 who opposed the same: Who were of the 128, who in Consequence of that Resolution, acquitted *Baron Page*, and the 124 who were of Opinion, that the Charge against him was made Good?

These and many other Particulars, the Electors may examine their Candidates about; and according as their Conduct has been agreeable or disagreeable in those or any other Matters, no doubt they will determine themselves in their future Choice.

Other Gentlemen, I hope, will give such further Hints, as they think may be of Use to the Electors of *Great Britain*. The last Thing I shall recommend to their Consideration, is, Whether Gentlemen of large Properties, are not the fittest Guardians for their own, and the Liberties of their Country; and less likely to be byass'd than those, whose chief Support depends on *Pensions* and *Employments*, admitting, that in all other Respects, they had equal Merit. For it must be allowed, That the Fear of losing considerable Employments, or of being disappointed of those, which Gentlemen may have in View; is a strong Inducement to think well of what may be proposed to or expected from them, by those on whom their Dependance is: And we have had some Examples in this present Parliament, of several worthy Gentlemen, who have been displaced, without any other Fault, which the Publick knows of, but that of their Voting in the House of Commons disagreeably to some Great Men in Power; and this in the Nature of the Thing, must intimidate others from acting with that Freedom, which otherwise might have been expected from them; surely therefore those who are under no such Byass or Restraints, must be allowed more proper to be relied on, to Represent the People of this Nation.

The Sense of *Parliament* seems to be declared in this Matter; by those Laws which exclude the Officers of the Customs and Excise, Post-Office, and of all the new Duties from Representing the Commons of *Great Britain*. And the Opinion of the House of Commons, is more strongly expressed, by the several Bills which they have passed; to restrain to a certain Number, those who have Places, only during Pleasure; and the Bill for that Purpose which was sent to the House of Peers in the last Parliament of the late *Queen*, miscarried only by one Vote. And certainly no Demonstration in *Euclid* is more clear and evident, than this great and important Truth; 'That whenever the Majority

of the *House of Commons* shall be compos'd
of the Dependants on the Crown or Ministry, that the *Liberties of Great Britain*
can subsist only *DURANTE BENE PLACITO*.

Philo Britannicus.

— *Sedere Patres censere parati,
Si Regnum, si Templum, jugulumq; Senatus,
Exiliumq; petat.* Lucan.

To the FREEHOLDER.

SIR,

THE *Protests* of those Noble Lords, who have distinguished themselves this Session, by their indefatigable Industry and undaunted Zeal for the Liberties of their Country, have been received with a deserv'd Applause; but the Majority of the House having been offended with some of those *Protests*, to that Degree, as to raze them out of the *Journals*; I was led to consider this great Privilege of *Protesting*, and to try if I could find any *Precedents*, Ancient enough, and of Weight enough, to warrant *Expunging* strong, but inoffensive Reasons; necessary, as the *Protesting Lords* apprehend, for their own Justification, if any Prejudice should happen to the *Constitution*, or to any of their Fellow Subjects, from that Vote which they *Protest* against. The Custom of *Protesting* with Reasons, has, in the Opinion of some Persons, been very Old; but it certainly has been much older than this Method of *Expunging* them; which began only in the Year 1690, and has been exercised very sparingly ever since, there being but few Instances of it to be found upon the *Journals*: and in that memorable Session, which began in April, 1675, upon the Debate of the Bill, Entitled, *An Act to prevent the Dangers which may arise, from Persons disaffected to the Government*: There were several *Protestations* entered, in some of which, there are Expressions, that seem to me to insinuate the Opinion of the sturdy Patriots of that Time, distinguished usually by the Name of *Old Whigs*, to have been, that all Lords had an indubitable Right of *Protesting* in what Manner they thought best; and that it was an Infringment of that Right, even to controul or censure the *Protestation* or any Part of it.

For the Confirmation of this Judgment of mine, I appeal to the Proceedings upon this Bill; Part of which Proceedings, that seem to my present Purpose, I will take Notice of. There was a *Protestation* enter'd against the Vote of committing the Bill, which rais'd a Storm against the Lords that Subscribed it; and the Great Officers and Bishops, designed not only some severe Proceedings against their Persons, if they had found the House would have born it; but also to have taken away the very Liberty of entering *Protestations* with Reasons; but that was defended with so great Ability, Learning and Reason, by the Lord Hollis, that they quitted the Attempt, and the De-

bate ran for some Hours, either wholly to raze the *Protestation* out of the Books, or at least some Part of it; but both these Ways were so disagreeable, to the Honour and Privilege of the House; and the latter to common Sense and Right Reason, that they despair'd of carrying it, and contented themselves with Voting: That the Reasons given in the said *Protestation*, did reflect upon the Honour of the House, and were of dangerous Consequence. The next Day, the following *Protestations* was entered and signed by one and Twenty Lords.

WHEREAS it is the undoubted Privilege of each Peer in Parliament; when a Question is past contrary to his Vote and Judgment, to enter his *Protestation* against it; and that in pursuance thereof, the Bill, Entitled, *An Act to prevent the Dangers which may arise from Persons disaffected to the Government*, being conceived by some Lords to be of so dangerous a Nature, as that it was not fit to receive the Countenance of a Commitment; these Lords did *Protest* against the Commitment of the said Bill; and the House having taken Exceptions at some Expressions in their *Protestation*; those Lords that were present at the Debate, did all of them severally and voluntarily declare; That they had no Intention to reflect upon any Member, much less upon the whole House; which, as is humbly conceived, was more, than in strictness, did consist with that absolute Freedom of *Protesting*, which is inseparable from every Member of this House; and was done by them meerly out of their great Respect to the House, and their earnest Desire to give all Satisfaction concerning themselves, and the clearness of their Intentions; Yet the House, not satisfied with this their Declaration, but proceeding to a Vote; That the Reasons given in the said *Protestation*, do reflect upon the Honour of the House, and are of dangerous Consequence; which is, in our humble Opinion, a great discountenancing of the very Liberty of *Protesting*; We whose Names are underwritten, conceiving our selves, and the whole House of Peers extremely Concerned; that this great Wound should be given, (as we humbly apprehend) to so essential a Privilege, of the whole Peerage of this Realm, as their Liberty of *Protesting*; do now (according to our unquestionable Right) make Use of the same Liberty, to enter this our Dissent from, and *Protestation* against the said Vote.

Bucks,	Say and Seal,
Winton,	Halifax,
Bedford,	Audley,
Dorset,	Fitzwater,
Salisbury,	Eure,
Bridgwater,	Wharton,
Denbigh,	Mobun,
Berks,	Hollis,
Clarendon,	De la Mer,
Aylesbury,	Grey Roll.
Shaftsbury,	

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This is the Account of that Affair, taken almost *verbatim* from a Letter printed in the First Volume of *State Tracts* in King Charles II's Reign; which shews the *Moderation* of the *Courtiers* in those Days, who could not be brought either to pass any severe Vote against the *Persons* of the *Protesting Lords*, or to take away the Liberty of protesting with Reasons, or to *expunge* the Protestation. They had then a Majority to carry every Thing; but they had, it seems, some *Restraints of Compassion* for their Country, that hindred them from pushing every thing contrary to Reason or common Decency: The *Minority* was compos'd of Lords of great Honour and Capacity, who were never check'd in the Pursuit of their Country's Good, so far as to be intimidated from insisting upon what they thought would contribute to it. Give me leave, Sir, upon this Occasion, to observe, that the Example of that *Minority* has been steadily follow'd, especially this last Session, by much the same Number of Lords, as appears to have sign'd that Protest which I have quoted; to the eternal Honour of the Lords themselves, and to the inexpressible Joy of all Well-Wishers to OLD ENGLAND.

I am, Sir,

Your humble Servant, &c.

LORDS who have Protested any Time during this Season.

Arch-bishops.	Oxford.
Canterbury.	Barons.
York.	North and Grey.
Dukes.	St. John de Bletsoe.
Somerset.	Compton.
Kent.	Maynard.
Wharton.	Craven.
Earls.	Osborne, (Marquis of Caermarthen.)
Salisbury.	Guilford.
Scarfsdale.	Ashburnham.
Litchfield.	Weston, (Earl of Arran.)
Aberdeen.	Gower.
Strafford.	Boyle, (Earl of Orrery.)
Uxbridge.	Montjoy, (Viscount Windsor.)
Aylesford.	Trevor.
Bristol.	Massam.
Cowper.	Foley.
Comingsby.	Bathurst.
Viscount.	Bingley.
Tadcaster, (E. of Thomond in Ireland.)	
Bishops.	
Rocheſter.	
Chester.	

F I N I S.

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